

REMARKS

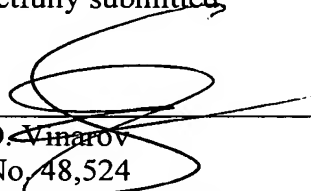
In an Office Action mailed June 23, 2006, the Examiner in charge of the above-noted application imposed a requirement for restriction dividing the claims into two groups, which in the Examiner's opinion are not related.

In response, applicants provisionally elect Group II, Claims 6-11 and 14-18, drawn to embodiments of the invention comprising an FLC family member, which when introduced into the genome of a plant can delay flowering. To clarify the claim scope for this divisional application from the claims issued in the parent application (issued as U.S. Patent No. 6,693,228) applicants have withdrawn the currently pending claims in favor of new Claims 21-30, which read on Group II. Support for the new claims is found, for example, at Fig. 1, page 7, lines 10-25; page 14, lines 12-23; and Examples 5-7.

Furthermore, the restriction is traversed on the grounds that the subject matter of Groups I-II, relating to FLC family members involved in the altering of flowering times are intimately related. Also with this election applicants reserve the right to file a divisional application without prejudice.

An extension of time is enclosed herewith so this response will be considered as timely filed. Please charge the fee to Deposit Account No. 17-0055. No additional fees are believed due; however, if any fees are due, in this or any subsequent response, please charge Deposit Account 17-0055.

Respectfully submitted,



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